



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,035	03/08/2005	Mauro Antonio Giacomello	FR920020015US1	5566
30449 7590 10/26/2007 SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110			EXAMINER GAMI, TEJAL	
			ART UNIT 2121	PAPER NUMBER
			MAIL DATE 10/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/527,035

Applicant(s)

GIACOMELLO, MAURO  
ANTONIO

Examiner

Tejal J. Gami

Art Unit

2121

All participants (applicant, applicant's representative, PTO personnel):

(1) Tejal J. Gami (USPTO Examiner).

(3) \_\_\_\_\_.

(2) Jack Friedman (ATTNY: 44688).

(4) \_\_\_\_\_.

Date of Interview: 17 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: \_\_\_\_\_.

Identification of prior art discussed: Freund et al. (U.S. Patent Number: 5,768,587) & Long (EP Patent Number: 0 969 363).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

**DAVID VINCENT**  
**SUPERVISORY PATENT EXAMINER**

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The request for reconsideration has been considered but does NOT place the application in condition for allowance. Applicant's representative requested reconsideration primarily on the basis that the prior art of record does not teach "compensation actions to transform the system resources into a mutually consistent state that differs from an initially consistent state." In response to Applicant's arguments the following are the Examiner's observations in regard thereto:

Examiner Responds: Support for this claimed limitation can be found in Applicant's specification page 57, lines 26-28 where applicant discloses the backout or compensation activities brings the system resources back to the initial state, if possible, or brings the system to another coherent state.

The feature of bringing the system into a state corresponding to an initial state of the system or into a state different from the initial system state, merely refers to the well-known concept of "semantic compensation". This concept is supported by Section 2.7 of the Patent Cooperation Treaty PCT International Preliminary Examination Report on record.